

Your Honor, thank you for your time in listening to what I have to say regarding the fairness of this case.

When I found out my well water was likely contaminated, I went to get my water tested by DNREC. I asked what areas were impacted and was told, "who sent you here, the attorneys?" and given half of a test kit, missing the nitrate bottle. I then found out that happened to the neighbor of a church elder I visited in one of the nearby communities. I told Secretary Garvin about those incidents.

The Notice of Violation refers to the incident as a "Recent plant upset" implying it was a mechanical issue, even though the fine included violations that had occurred consistently since 2015.

It may have been mechanical, but that was not a license to overspray and dump. DNREC should have dealt with those issues as they happened. Instead, they turned a blind eye.

Settlement includes an area (Exhibit E) on the corner of Lawson Rd and Zoar Rd that was not fined for anything. To my thinking that is a de facto admission of guilt. DNREC and the Attorney General should address that issue as well. Civil court is not the appropriate forum to handle what appears to be criminal actions.

Because they were settling for an area that was not fined, I went back into those woods to discover extensive evidence of past dumping and that someone is still dumping in the same location (Exhibit F). The paths were recently cleared and there were fresh vehicle tracks backing up to what appears to be a wastewater dumping pit.

There has not been a permit to dump in those woods since 1993, before Mountaire purchased the plant. (Exhibit F-3)

Satellite imagery shows the adjacent parcel by Ex. 6 Personal Privacy (PP) home and the county-owned properties (Exhibit H) next to those all shows dumping that appears to have taken place at the same time as the area being included in settlement. A drive by the county's woods shows piles everywhere you can see from the road.

The most recent satellite image, taken in 2018 after the Notice of Violation shows dumping in progress directly next to the Ex. 6 Personal Privacy (PP) home (Exhibit E-5). You can see two trucks guarding the entrance while a third releases a liquid that follows a trench down to a large manmade pond right next to the Ex. 6 Personal Privacy (PP) property. Since that time, an enormous illegal landfill has also been placed blocking the view from the Ex. 6 Personal Privacy (PP) home, which is directly adjacent to both of those active dumps. (Both parcels on the map bordering the illegal landfill belong to them.)

That the same kind of material is being dumped so close to the dumping in the settlement area at the same time suggests they are probably related, yet their property was excluded from settlement.

Ex. 6 Personal Privacy (PP) property is across the street bounds Swan Creek, the lowest point in the area. For those reasons alone it is not fair that they were dropped from settlement. The dump and landfill are right next to them.

Ex. 6 Personal Privacy (PP) isn't here to defend himself for personal reasons, but the Ex. 6 Personal Privacy (PP) can both vouch for what I'm saying, and Ex. 6 Personal Privacy (PP) will tell you himself if you speak to him.

Ex. 6 Personal Privacy (PP) is on Oxygen and Ex. 6 Personal Privacy (PP) just got out of the hospital with a sinus infection which she said she experiences often. She also has medicine for vertigo.

Ex. 6 Personal Privacy (PP) fell over from vertigo while working in his yard and laid there for 45 minutes. After three days when it wouldn't subside, he went to the hospital and was told it must have been a sudden drop in his potassium levels. To this day he cannot be outside of his home without cramping up unless he takes a potassium supplement. He also developed an infection in his face that caused it to double in size, something I personally saw.

Clearly, they are all being very seriously impacted.

Those are not the only areas I discovered. I found out the suit also included Ex. 6 Personal Privacy (PP) and his fiancé Ex. 6 Personal Privacy (PP) who said they regularly saw a yellow airplane spraying liquid on the farm behind and sometimes on their house. Ex. 6 Personal Privacy (PP) said it smelled like ammonia and rotten eggs, and Ex. 6 Personal Privacy (PP) said it smelled like cat urine. They were concerned and took photographs (Exhibits G-7 and G-8).

Satellite imagery (Exhibits G-4 and G-5) shows dumping in woods near and higher in elevation of their home started between June 2011 and July 2015 and ended between April 2017 and June 2018 around the time the Notice of Violation was issued.

In the most recent satellite image, the path into the woods and surrounding forest are recovering, but the most recent street view shows an approximately 100' wide path has been reestablished with fresh tire tracks leading back into those woods. (G-6) To me that suggests illegal dumping appears to be restarting there as well.

Those plaintiffs were also excluded and told they were not impacted. Obviously, they were. If that was the case, they never should have been included to begin with.

Because all those plaintiffs were dropped from the case, they were not given the opportunity to object, which is not fair.

When I discovered there was active dumping, I called every state and federal agency I could think of and got the run around. I called the EPA who for 41 minutes refused to open a case. I called back immediately and spent 63 minutes begging the agent to open a case which she finally did (#1298294).

I received a call from the case worker who said he "doesn't listen to conspiracy theories". When I asked if he would look at a satellite image he said no and hung up (Exhibit I).

Between a State employee giving me half of my water test kit and a Federal employee not allowing me to report active dumping upstream of my home I do not know which is worse. In both cases government employees were willing to let me continue being poisoned. That is not just unfair. It is chilling.

Ex. 6 Personal Privacy (PP) opened a case (#1297869) with the EPA and was told by someone on a blocked line it's private property so there isn't anything they can do. Of course they can.

Ex. 6 Personal Privacy (PP) opened a case (#1301768) and no one came out for three days. She called again at the same time I sent an email to Secretary Garvin, Attorney General Jennings, and Governor Carney to tell them no one is stopping the illegal dumping. Ex. 6 Personal Privacy (PP) said within an hour someone with a shirt labeled Sheriff and others arrived and went through the locked gate to inspect the property. Yet she is still seeing it used as an illegal landfill. That is not fair and is also extremely unsettling.

I would think Your Honor should have been contacted immediately, given the location's connection to this case.

Like the unnecessary redaction of information, DNREC has a history of going out of its way to block information from reaching the surface.

That not fair because it places the burden on a civil settlement to try what I believe was an illegal act. I tried to get a stay in the case so you could be made aware but no one in the government would tell me how to do that. Certainly, the Secretary of DNREC, the Attorney General, and the Governor would know how if they were required to.

Now that I know it is happening again, and the State and Federal government apparently won't do anything to stop it, I'm telling you because I don't know who else to tell.

This entire experience has been incredibly frustrating and quite frankly, terrifying. On two different occasions I was threatened by State employees, one warning me not to pursue the matter and the other threatening to arrest me for calling 911 which is what the US Attorney General hotline said to do and what the EPA website says to do before calling their hotline. As far as I know, nothing came of my letter to the top state executives, our cases with the EPA, or the 911 call.

In this case, the entire government system designed to protect citizens has completely failed.

This is the reason there are trials for suits involving seemingly deliberate illegal actions and not simply fines. An accident is one thing, but an apparent decision to overspray and dump in places without permission is a different story.

All of this should have been evidence presented to an unbiased jury, and still should be since it appears to be ongoing.

It makes this case inherently unfair because the State has deliberately abdicated its responsibility which greatly impacted the outcome of this case and exacerbated the impact of those apparent environmental crimes.

Settlement was capped at \$65 million because apparently anything else would bankrupt Mountaire. I thought about that more since I withdrew my objection, because based on 2015 estimates, that is less than one half of one percent of their revenue since Mountaire Farms contaminated our groundwater in addition to what their parent corporation earned. It should not matter anyway because it should all be based on what injuries were sustained and how much our property values diminished.

In addition, residents should be offered access to clean water if they were in the water settlement area whether or not they participated in the case. Most communities already have it. Just because they did not hear about the suit or know what to do, should not mean they have to forego access to clean water. Most people I spoke to cannot afford water treatment systems. None of those people would think that is fair.

The liquid needs to be cleaned up immediately before any more seeps into the groundwater. The piles dumped throughout those and the county-owned woods will remain there leaching into the ground forever until someone gets rid of it. DNREC needs to address that pollution since it is on their property just as any other property owner would be required to do.

That the Ex. 5 Personal Privacy (PP) property lies between those three ecological catastrophes and both they and Ex. 5 Personal Privacy (PP) are still suffering major health problems is the most unfair thing I have ever heard.

Your honor, thank you for your time and consideration of this information when deciding the case.